

Not for Publication

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ELIZABETH KYLE-LABELL,
on behalf of herself and all others
similarly situated,

Plaintiff,

V.

SELECTIVE SERVICE SYSTEM, et al., :

Defendants.

Civil Action No. 15-5193 (ES) (JAD)

ORDER

SALAS, DISTRICT JUDGE

Pending before the Court is Defendants Selective Service System and Donald M. Benton's¹ (together, "Defendants") motion to dismiss Plaintiff's Second Amended Complaint under Federal Rule of Civil Procedure 12(b)(1) for lack of standing (D.E. No. 69); and the Court having considered the parties' submissions and decided the matter without oral argument under Federal Rule of Civil Procedure 78(b); and for the reasons stated in the Court's accompanying Opinion;

IT IS on this 29th day of March 2018;

ORDERED that Defendants' motion is DENIED *without prejudice*; and it is further

ORDERED that the Clerk of Court shall TERMINATE docket entry number 69.

s/Esther Salas
Esther Salas, U.S.D.J.

1 Under Federal Rule of Civil Procedure 25(d), Donald M. Benton automatically replaced Lawrence G. Romo
in this litigation.